Docket No.: DSC0028-00US (PATENT)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: Thor W. NILSEN

Thor W. NILSEN

Application No.: 10/607,188 : Group Art Unit: 1634

Filed: January 26, 2003 : Examiner: Sisson, Bradley L.

For: NUCLEIC ACID ASSAY AND : Confirmation No. 6182

METHOD OF DETECTING THE PRESENCE OF A NUCLEIC ACID SEQUENCE

Commissioner for Patents P.O. Box 1450

Alexandria, VA 22313-1450

## RESPONSE UNDER 37 C.F.R. § 1.111

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Sir:

This paper is being submitted in reply to the Office Action mailed on November 19, 2009, in the above-identified application. A response to the Office Action is due by February 19, 2010. Accordingly, this paper is being timely filed.

Claims 1-27 are pending in the application. Claims 1, 2, 4 and 5 are rejected.

Claims 3 and 6-27 are withdrawn from consideration. No claims are allowed.

Reconsideration of the claim rejections and allowance of the pending claims in view of the following remarks are respectfully requested.